

Message Text

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41

ACTION L-02

INFO OCT-01 ARA-06 ISO-00 OES-03 AID-05 OFA-01 EB-07

SCA-01 H-02 INR-07 DLOS-03 PRS-01 CG-00 DOTE-00 SS-15

TRSE-00 SCS-03 DODE-00 SSO-00 NSCE-00 INRE-00 NSC-05

PM-03 IO-10 ARAE-00 USIE-00 /075 W

----- 018857

O 141940Z MAY 75

FM AMEMBASSY MANAGUA

TO SECSTATE WASHDC IMMEDIATE 6965

INFO AMEMBASSY TEGUCIGALPA IMMEDIATE

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E. O. 11652: N/A

TAGS: CPRS, NU

SUBJECT: SEIZURE OF FISHING VESSEL "SUGAR DADDY"

REF: STATE 110201

1. AFTER AMBASSADOR HAD EXTENDED DISCUSSION OF MATTER OF "SUGAR DADDY" WITH PRESIDENT SOMOZA ON MAY 13, THE PRESIDENT INDICATED THAT HE WOULD, FOR THE SAKE OF HARMONY OF RELATIONS WITH THE UNITED STATES, ORDER THE RELEASE OF THE VESSEL WITHOUT PAYMENT OF ANY FINE.

2. MINISTER OF DEFENSE CONFIRMED TO AMBASSADOR MORNING OF MAY 14 THAT ON INSTRUCTIONS OF PRESIDENT SOMOZA ORDERS WERE BEING ISSUED TO RELEASE "SUGAR DADDY".

3. PRESIDENT SOMOZA WAS OBVIOUSLY DISTURBED BY THIS ENTIRE AFFAIR. HE NOTED IN HIS DISCUSSIONS WITH THE AMBASSADOR THAT NICARAGUA HAS CONSISTENTLY AVOIDED ACTIONS AGAINST FISHING BOATS WITH U.S. FLAG AND U.S. CAPTAIN, BUT HE FINDS IT EXTREMELY DIFFICULT TO BELIEVE THAT THE PURPOSE OF THE UNITED STATES LAW IS TO PROTECT PERSONS FOR WHOM U.S. REGISTRY APPEARS TO BE ONLY A TECHNICAL DEVICE TO ALLOW VESSELS APPARENTLY OWNED AND ENTIRELY OPERATED

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BY NON-AMERICANS AND CARRYING NO OBVIOUS IDENTIFICATION AS U.S.

VESSELS TO GAIN ALL ADVANTAGES OF FOREIGN OWNED FISHING BOATS, BUT BY RETAINING SOME SEMBLANCE OF U.S. REGISTRY ALLOWING THEM TO CLAIM PROTECTION OF THE UNITED STATES WITH THE ATTENDANT THREAT OF SANCTIONS AGAINST THE SEIZING COUNTRY WHEN, INDEED, THE SEIZING COUNTRY HAS NO WAY OF KNOWING THE TRUE IDENTITY OF THE VESSEL. SOMOZA SAID THAT IN HIS OPINION, THESE VESSELS WERE OPERATING UNDER "SUBTERFUGE", AND THAT HE WAS SURPRISED AND PUZZLED THAT THE UNITED STATES GOVERNMENT WOULD SANCTION SUCH ACTIVITIES. SOMOZA SAID HE ALSO WONDERED WHY IF PERMIT TO FISH HAD BEEN PURCHASED BY VESSEL IN HONDURAS, WHY NO SIMILAR EFFORT HAD BEEN MADE TO OBTAIN PERMIT FOR FISHING IN NICARAGUAN WATERS. SOMOZA EMPHASIZED IN THE STRONGEST TERMS THAT HE HAD CONSISTENTLY SUPPORTED U.S. POSITION IN LAW OF SEAS CONFERENCE TO AVOID ESTABLISHMENT OF 200 MILE TERRITORIAL LIMIT, AND THAT HE FELT THAT INHERENT THREATS OF U.S. SANCTIONS INVOLVING UNIDENTIFIED FISHING VESSELS WHO LATER CLAIMED SOME TENUOUS U.S. OWNERSHIP WOULD WEAKEN U.S. CASE WHICH HE STRONGLY SUPPORTED TO AVOID 200 MILE TERRITORIAL LIMIT.

4. AMBASSADOR WAS CAREFUL TO AVOID SPECIFIC MENTION OF "SUGAR DADDY" IN CONNECTION WITH POSSIBLE SANCTIONS, BUT IN RESPONDING TO GENERAL DISCUSSION, SOMOZA RAISED ISSUES WHICH ARE OUTLINED ABOVE.

5. THE "SUGAR DADDY" IS BEING RELEASED TODAY BY PRESIDENTIAL ORDER. EMBASSY BELIEVES, HOWEVER, THAT A CLARIFICATION OF THE GENERAL GUIDELINES RELATIVE TO VESSELS OF THIS TYPE WOULD BE HELPFUL.

SHELTON

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Margaret P. Grafeld
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